

1331-334

ASSIGNMENT OF PATENT APPLICATION

(Inventor) Reid W. VON BORSTEL

(Assignee)

(Address)

(Title)

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations paid to each of the undersigned, the undersigned agree(s) to assign, and hereby does assign, transfer and set over to

PRO-NEURON, INC.

(of 16020 Industrial Drive, Gaithersburg, MD 20877

(hereinafter designated as the Assignee) the undersigned's entire right, title and interest for the United States, its territories, dependencies and possessions in the invention, and all applications for patent and any Letters Patent which may be granted therefore, known as

COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL DISEASES (Case No. 1331-334)

for which the undersigned has (have) executed on even date herewith an application for patent in the United States of America or, if not on even date, then has executed (on _____ or has already filed in _____ U.S. appln. Serial No. _____, filed on _____).

The undersigned acknowledges an obligation of assignment of this invention to said assignee at the time the invention was made.

The undersigned agree(s) to execute all papers and documents necessary in connection with the application or any interference which may be declared and any continuing or divisional applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient and further to perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patent of the United States resulting from said application or any division or divisions or continuing applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) full right to convey the entire interest herein assigned, and that he has (they have) not executed and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) the firm of NIXON & VANDERHYE P.C. the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document. It is understood and agreed that ASSIGNEE'S attorneys Nixon & Vanderhye P.C. have represented only ASSIGNEE and will continue to represent only ASSIGNEE with respect to this invention.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned signature(s).

Date 2-08-01

Signature of inventor

Reid W. von Borstel
Reid W. VON BORSTEL

Witnessed by: _____

Date _____

Witnessed by: _____

Date _____

OMB No. 0651-0011 (12/31/86)

Applicant or Patentee: Reid W. VON BORSTELAttorney's Dkt. No. 1331-334

Serial or Patent No.: _____

Filed or Issued: _____

For: COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL DISEASES**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY****STATUS [37 19(f) and 1.27(c)] - SMALL BUSINESS CONCERN**

I hereby declare that I am



the owner of the small business concern identified below:



an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN PRO-NEURON, INC.ADDRESS OF CONCERN 16020 Industrial Drive, Gaithersburg, MD 20877

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

COMPOSITIONS AND METHODS FOR TREATMENT OF MITOCHONDRIAL DISEASESby inventors Reid W. VON BORSTEL described in

the specification filed herewith.

application Serial No. _____, filed _____

patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

Name _____

Address _____

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

Name _____

Address _____

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

I acknowledge the duty to file, in this application of patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

TITLE OF PERSON OTHER THAN OWNER

ADDRESS OF PERSON SIGNING

SIGNATURE

MICHAEL K. BAMATVICE-PRESIDENT, RESEARCH & DEVELOPMENT16020 INDUSTRIAL DR., GAITHERSBURG MD 20877DATE 09 Feb '01